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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/656,980

09/05/2003

John Kimes

224-3027-U

9738

7590
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01/24/2007

EXAMINER

SONG, HOSUK

ART UNIT

PAPER NUMBER

2135

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/656,980	Applicant(s) KIMES ET AL.	
	Examiner HOSUK SONG	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20,22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Franklin et al(US 5,883,810).

Claim 1: Franklin discloses a client system containing a client identity, a client location and client information in (fig.2,4;col.6,lines 61-66). Franklin discloses a service provider system connected to the client system via an Internet connection in (fig.1). Franklin disclose a financial institution system,connected to the client system and the service provider system via the Internet,such that when, over the Internet a client requests the encoding of a security key, the service provider system identifies the client, authenticates client location,confirms that the client's account status is above some predetermined threshold, and encodes the security key per the client request in (col.7,lines 28-32,48-61;col.8,lines 57-67).

Claim 2: Franklin discloses an electronic lock, a lock-key interface, an on-site encoder, and a client computer system, the client computer system being capable of accessing the Internet in (fig.3).

Claim 3: Franklin discloses client computer system accesses the Internet via an Internet service provider in (fig.2).

Claim 4: Franklin disclose a service provider account,billing software,electronic funds transfer software,authorization software,a customer database having client identification data and a client service module in (fig.2,5;col.10,lines 22-31).

Claim 5: Franklin disclose service provider system is remotely located in a remote server in (fig.1).

Claim 6: Franklin disclose financial institution system comprises software for providing electronic verification of a client's account status and software for electronically transferring funds from the client's account to the service provider's account in (col.10,lines 48-67).

Claim 7: Franklin disclose remote server contains software for encoding security keys in (col.7,lines 47-57).

Claim 8: Franklin discloses remote server contains software for authorizing security key system functions upon a request by the client in (col.7,lines 28-32,54-57).

Claim 9: Franklin disclose matching the query to a specific client account, the client account having a unique client number with client information stored remotely in a client database in (col.2,lines 28-42). Franklin disclose verifying that the client request came from an authorized property properly requesting keys be made and verifying that the client is current on all billing and that the client account has a positive balance therein in (col.11,lines 22-31).

Claim 10: Franklin disclose confirming that the client number and client information match the data stored in the client database, and if the data matches then granting access to the account data by the client in (col.2,lines 29-42).

Claims 11,12: Franklin disclose comparing the account balance with a critical account amount, the critical account amount being selected by the service provider and the client, and if the account balance is greater than the critical account amount then communicating to the client that the request has been authorized and issuing the client an encrypted key code in (col.2,lines 29-42;col.8,lines 49-56;col.11,lines 25-31).

Claim 13: Franklin disclose step of verifying that the client is current on all billing, wherein if the account balance is less than the minimum account amount, denying the transaction and electronically

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communicating with the client that the transaction is denied because the minimum account balance was reached in (col.2,lines 29-42;col.11,lines 27-45).

Claims 14-17: Franklin disclose matching the query to a specific client account, the client account having a unique client number with client information stored remotely in a client database, verifying that the client request came from an authorized property properly requesting keys be made and if so, accessing the client data for the client in (col.2,lines 29-42;col.8,lines 49-56;col.11,lines 25-31). Franklin disclose determining whether the date of the request is before or after a predetermined client payment date, if before the client payment date, authorizing the client request and if the after the client payment date, determining whether an electronic funds transfer was made from the client into the client account, and if the electronic funds transfer was successful,authorizing the request in (col.11,lines 25-40,41-67).

Claims 18,19-20: Franklin disclose periodically querying each customer account,noting an account balance and comparing the account balance in each customer's account to a predetermined replenish amount in (col.2,lines 28-42). Franklin disclose if the customer account is greater than the replenish amount,completing the billing program with an indication that the request be approved;if the customer account is less than the replenish amount,sending a request to a financial institution identified by the client for funds to be transferred electronically into the client's account in (col.11,lines 11-31). Franklin disclose verifying that the electronic funds was successful; if the electronic funds transfer is successful, then updating the customer account information to reflect the electronic funds transfer and completing the billing program with an indication that the request be approved, if the electronic funds transfer is unsuccessful, then communicating electronically the failed funds transfer request in (col.11,lines 11-40).

Claim 22: Franklin disclose accessing the client account by the client and determining how much credit the client would like to place on the account,specifying from which financial institution the funds should originate and generating an electronic funds transfer of the funds from the financial institution into

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the client's account in (col.4,lines col.2,lines 29-42). Franklin disclose determining whether the electronic funds transfer is successful and if so, updating the client account, if the electronic funds transfer is unsuccessful ,communicating this fact to the client in (fig.2 and col.2,lines 29-42;col.11,lines 11-31).

Claim 23: Franklin discloses client accesses the client account via the Internet in (fig.2).

Allowable Subject Matter

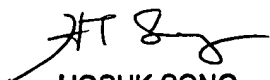
Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


HOSUK SONG
PRIMARY EXAMINER